

# Public Notice

U.S. Army Corps of Engineers, Norfolk District

December 6, 2005

CENAO-TS-REG  
05-V1482

## FEDERAL PUBLIC NOTICE

The District Engineer and the Virginia Department of Environmental Quality have received a joint application for Federal and State permits as described below:

### APPLICANT

Daniel Aston  
C/O Roseland Property Company  
450 Court Street  
Portsmouth, Virginia 23704

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located in the city of Williamsburg, west of Route 60 and south of Route 615 in Williamsburg, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to construct a mixed-use development including residential and commercial development known as High Street on the 45.12 acre site. The development will impact 0.37 acres of forested wetlands and 1,447 linear feet of stream channel on the property. Where impacts could not be avoided or minimized, alternative compensatory mitigation will be achieved via a voluntary contribution to the Virginia Aquatic Resources Trust Fund.

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ) assuring that applicable laws and regulations pertaining to water quality are not violated and a permit from the Chesapeake Wetlands Board. **Project drawings and site location map are attached.**

AUTHORITY: Permits are required pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected from the proposal, must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites

for Dredged or Fill Material" will also be applied (Section 404(b)(1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Engineer within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Engineer will then decide if a hearing should be held.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) no known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal. Additional information might change any of these findings. For compliance with the Coastal Zone Management Act of 1972, as amended, the applicant must certify that federally licensed or permitted activities affecting Virginia's coastal zone (Tidewater) will be conducted in a manner consistent with the Virginia Coastal Resources Management Program (VCP). For more information or to obtain a list of the enforceable programs of the VCP, contact the Department of Environmental Quality, Office of Environmental Impact Review at (804) 698-4330 or e-mail: [elirons@deq.virginia.gov](mailto:elirons@deq.virginia.gov).

**COMMENT PERIOD:** Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: CENAO-TS-G), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on December 21, 2005.

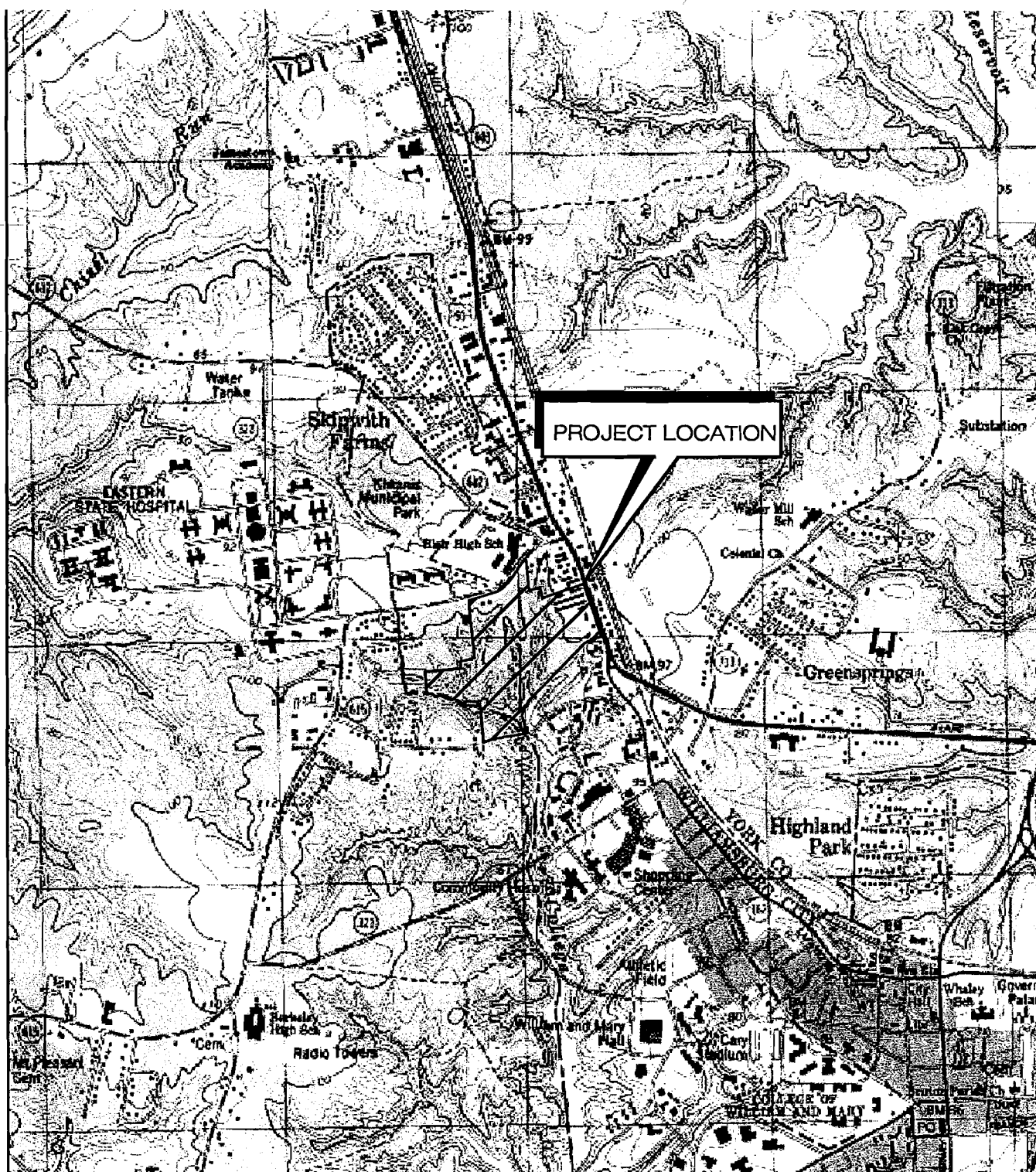
If you have any questions about this project or the permit process, please call:

Scharlene Floyd at 757-201-7367

FOR THE DISTRICT ENGINEER:

Michael A. Schwinn  
Chief, Western Virginia  
Regulatory Section

Attachments:  
Drawings  
Topographic Map



2000' 1000' 0' 2000'  
SCALE: 1 INCH = 2000 FEET



LATITUDE: 37°17'14.44" N  
LONGITUDE: 76°43'35.54" W

SOURCE: USGS 7.5 MINUTE SERIES TOPOGRAPHIC MAP,  
WILLIAMSBURG, VA QUADRANGLE, 1984



**WILLIAMSBURG  
ENVIRONMENTAL  
GROUP, INC.**

FIGURE 1-2  
**PROJECT LOCATION MAP**  
HIGH STREET PROPERTY

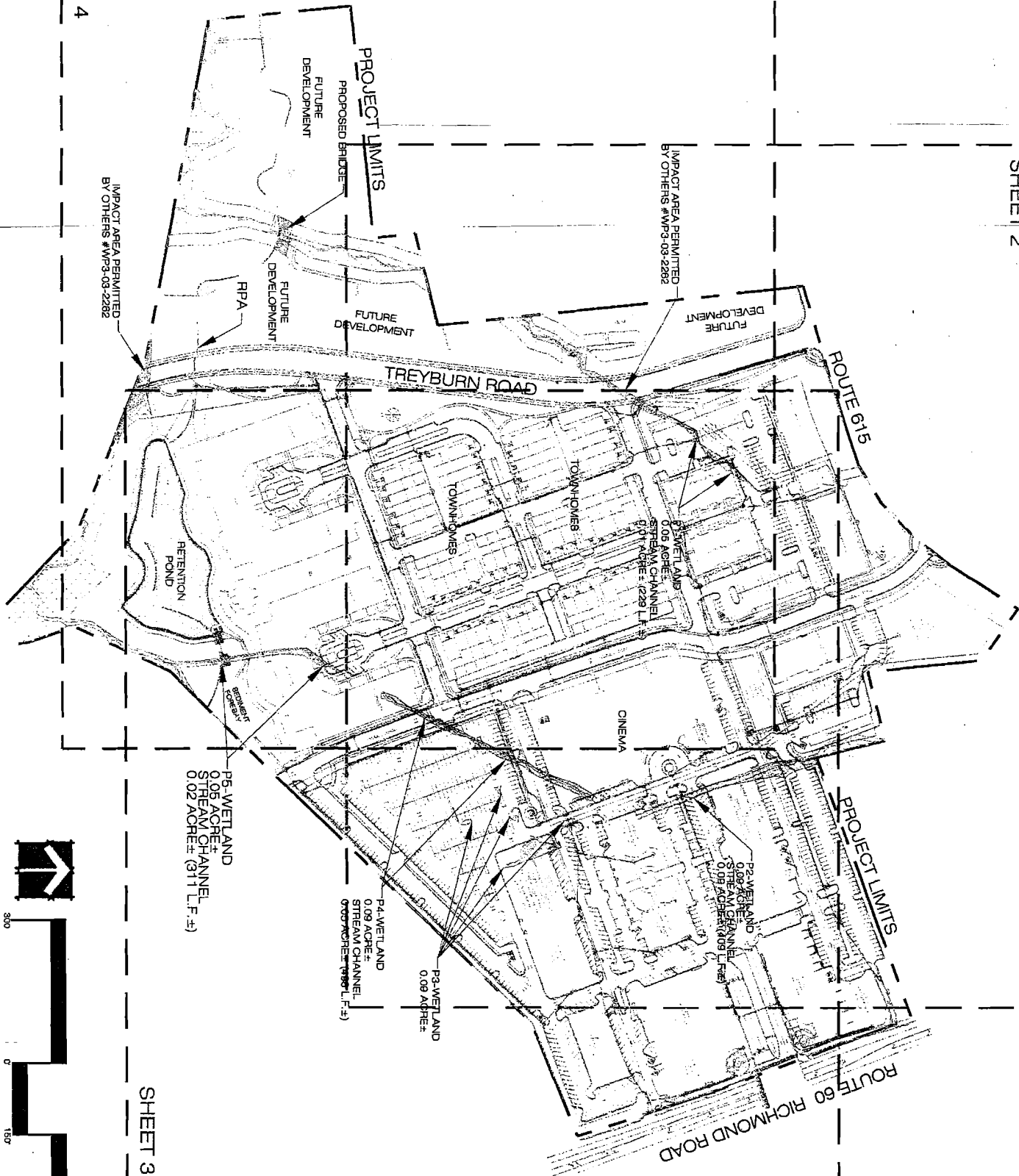
CITY OF WILLIAMSBURG, VIRGINIA

AUGUST 2004

SHEET 2

SHEET 4

SHEET 3



DATE: JUNE 24, 2005  
 REVISED: SEPTEMBER 19, 2005  
 JOB NUMBER: 2194  
 SCALE: 1 INCH = 300 FEET  
 SOURCE: BASE MAP PROVIDED BY WOOLPERT.

**JURISDICTIONAL AREA IMPACT MAP**  
**SHEET INDEX - SHEET 1 OF 4**  
**HIGH STREET**  
 CITY OF WILLIAMSBURG, VIRGINIA

**WEG**  
 WILLIAMSBURG ENVIRONMENTAL GROUP, INC.  
 2000 Easton Circle  
 Williamsburg, Virginia 23108  
 (757) 220-6850  
 7401 Shalimar Springs Lane  
 Suite 205  
 Richmond, Virginia 23225  
 (804) 267-5474  
 13821 Park Center Road  
 Suite 101  
 Henric, Virginia 23171  
 (757) 427-0390  
 4500 Mark Road  
 Suite 205  
 Fredericksburg, Virginia 22407  
 (847) 785-5544  
 Environmental Consultants